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Attorney for Defendant,  
**JAY BRIAN McCASTLE**

IN THE UNITED STATES DISTRICT COURT  
OR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) No. CR S 05-0034 LKK  
Plaintiff, ) STIPULATION AND ORDER  
v. ) RE: EXCLUDABLE TIME AND  
JAY BRIAN McCASTLE, DAVID ) MODIFICATION OF MOTION HEARING  
TALCOTT USSERY, ROBERT ) & BRIEFING SCHEDULE  
ROBINSON and LINDA ANN CHANEY, )  
Defendants. )

The parties hereby stipulate to the following:

- This matter is now set for hearing on any motions on October 25, 2005, at 9:30 a.m. Defense counsel is in need of additional time to prepare pretrial motions as well as time to consider the government's joint plea proposal made to all defendants. Therefore, the government and all defense counsel agree to the following modification of the motion schedule in order to afford counsel additional time to prepare: Motions to be heard **November 15, 2005 at 9:30 a.m.**; motions due **October 17, 2005**; government's response due **November 1, 2005**; defendant's reply, if any, due **November 8, 2005**.

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1 3. The parties stipulate, and the court is requested to order, that time pending filing of  
2 motions should be excluded pursuant to Local Code T4, 18 U.S.C. 3161(h)(8)(B)(iv), for  
3 preparation of counsel.

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5  
6 DATED: September 26, 2005

/s/ Tim Warriner, Attorney for defendant,  
JAY BRIAN McCastle

7 DATED: September 26, 2005

/s/ James Ralph Greiner, Attorney for defendant,  
DAVID TALCOTT USSERY

9 DATED: September 26, 2005

/s/ Christopher Haydn-Meyer, Attorney for defendant,  
ROBERT ROBINSON

10 DATED: September 26, 2005

/s/ Jan David Karowsky, Attorney for defendant,  
LINDA ANN CHANEY

12 DATED: September 26, 2005

/s/ Anne Pings, Assistant United States Attorney,  
Attorney for the Government

14  
15 ORDER

16 GOOD CAUSE APPEARING, it is hereby ordered that the October 25, 2005 motion  
17 hearing date be vacated and that the matter be set for hearing on pretrial motions on November  
18 15, 2005, at 9:30 a.m.. The following briefing schedule is ordered: defendants' motions due  
19 October 17, 2005; government's response due November 1, 2005; defendants' optional reply due  
20 November 8, 2005. It is further ordered that time continue to be excluded for preparation of  
21 counsel pending filing of motions pursuant to 18 U.S.C. 3161(h)(8)(B)(iv), Local Code T4.

22  
23 DATED: October 3, 2005

/s/ Lawrence K. Karlton  
HONORABLE LAWRENCE K. KARLTON  
UNITED STATES DISTRICT JUDGE